

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

CMFG LIFE INSURANCE COMPANY,
CUMIS INSURANCE SOCIETY, AND
MEMBERS LIFE INSURANCE COMPANY,

Plaintiffs,

vs.

CREDIT SUISSE SECURITIES, LLC,

Defendant.

Case No. 14-CV-249

Hon. William M. Conley

**CUNA MUTUAL'S MOTION TO STAY PENDING DECISION ON
APPEAL IN A SIMILAR CASE**

Plaintiff CUNA Mutual¹ respectfully seeks a temporary stay pending decision on appeal from the court by the Seventh Circuit on several threshold issues that will necessarily impact this case. *See CMFG Life Ins. Co. v. RBS Securities, Inc.*, No. 14-2904 (7th Cir. filed Aug. 28, 2014), *on appeal from CMFG Life Ins. Co. v. RBS Securities, Inc.*, No. 12-CV-037-WMC (W.D. Wis.), (Conley, J.). In support of this motion, CUNA Mutual incorporates its brief in support as if fully stated herein.

WHEREFORE, CUNA Mutual respectfully requests that the Court issue a temporary stay of the case pending the Seventh Circuit's decision in *RBS*.

DATE: October 3, 2014

/s/ Silvija A. Strikis
David C. Frederick (*pro hac vice*)
Silvija A. Strikis (*pro hac vice*)
Scott K. Attaway (*pro hac vice*)

¹ "CUNA Mutual" is the collective reference to three Plaintiffs in the underlying case: CMFG Life Insurance Company, CUMIS Insurance Society, Inc., and MEMBERS Life Insurance Company.

Whitney Cloud (*pro hac vice*)
**Kellogg, Huber, Hansen, Todd,
Evans & Figel, P.L.L.C.**
1615 M Street, N.W., Suite 400
Washington, D.C. 20036
(202) 326-7900
dfrederick@khhte.com
sstrikis@khhte.com
sattaway@khhte.com
wcloud@khhte.com

Greg G. Gutzler
Tamara M. Spicer
Steven M. Berezney
Michael E. Klenov
John C. Craig
Garrett R. Broshuis
Korein Tillery, LLC
505 North 7th Street, Suite 3600
St. Louis, MO 63101
(314) 241-4844
ggutzler@koreintillery.com
tspicer@koreintillery.com
sberezney@koreintillery.com
mklenov@koreintillery.com
jcraig@koreintillery.com
gbroshuis@koreintillery.com

George A. Zelcs (*pro hac vice*)
Korein Tillery, LLC
205 North Michigan, Suite 1950
Chicago, IL 60601
(312) 641-9750
gzlcs@koreintillery.com

Peggy A. Lautenschlager
Bauer & Bach, LLC
123 East Main Street, Suite 300
Madison, WI 53703
(608) 260-0292
lautenschlager@bauer-bach.com

Counsel for Plaintiffs